

HOUSE No. 4062

The Commonwealth of Massachusetts

PRESENTED BY:

David L. Flynn, James H. Fagan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to simulcasting by greyhound dog racing meeting licensees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
David L. Flynn	8th Plymouth
James H. Fagan	3rd Bristol
Christine E. Canavan	10th Plymouth
Geraldine Creedon	11th Plymouth
Paul McMurtry	11th Norfolk
Elizabeth Poirier	14th Bristol

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO SIMULCASTING BY GREYHOUND DOG RACING MEETING LICENSEES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

SECTION 1. Section 2 of chapter 128C of the General Laws, as appearing in the 2006 Official
Edition, is hereby amended in subsection 5 by striking out the fourth paragraph and inserting in place
thereof the following:—

No racing meeting licensee, whether acting as a guest track or host track, shall simulcast live races unless
the licensee conducts a full schedule of live racing performances during a racing season except that, if the
commission determines that a licensee cannot conduct a full schedule of live racing performances due to
weather conditions, race track conditions, strikes, work stoppages, sickness or quarantine not within the
control of the licensee, the commission may permit the licensee to continue simulcasting and, if it appears
that a racing meeting licensee is or will become unable to conduct a full schedule of live racing
performances, the commission shall suspend such right to simulcast until the licensee conducts or
resumes a full schedule of live racing performances; provided, however, that no racing meeting licensee
shall simulcast live races in any racing season unless the racing meeting licensee is licensed to and
actually conducts at least 900 live races over the course of not less than 100 calendar days during that
racing season with no fewer than 7 races completed on any of those 100 calendar days; provided further,
that, on or after January 1, 2010, the foregoing live racing requirements shall not apply to the greyhound
dog racing meeting licensee in Bristol county and the greyhound dog racing meeting licensee in Suffolk
county and each such licensee shall, notwithstanding any other provision of this chapter, be entitled to
simulcast live races as provided in this chapter despite any such licensee's inability to conduct live racing
due any law or requirement prohibiting the conduct of live greyhound dog racing meetings in the
commonwealth; provided further, that, if the commissioner determines that either of the greyhound dog

21 racing meeting licensee in Bristol county or the greyhound dog racing meeting licensee in Suffolk county
22 is unable, on or after the effective date of this act and prior to January 1, 2010, to conduct a full schedule
23 of live racing performances due to insufficient or lack of participation in live racing performances by
24 dogmen, the commission may permit such licensee to continue simulcasting.

25 SECTION 2. Section 2 of said chapter 128C, as so appearing, is hereby further amended in subsection 5
26 by striking out the sixth paragraph and inserting in place thereof the following:—

27 Each racing meeting licensee shall pay a fee for those days, whether a dark day, a day during a dark
28 season, or any day between the periods of racing pursuant to an operating license, when no live races are
29 conducted but simulcast races are shown and simulcast wagers are accepted; provided, however, that, on
30 or after January 1, 2010, the greyhound dog racing meeting licensee in Bristol county and the greyhound
31 dog racing meeting licensee in Suffolk county shall not be required to pay a fee for any day on which
32 such licensee would have been entitled to conduct a greyhound dog racing meeting but for any law or
33 requirement prohibiting the conduct of a greyhound dog racing meeting in the commonwealth. Such fee
34 shall be determined by the commission in accordance with the license fees charged pursuant to the
35 provisions of chapter 128A. No other daily fees shall be assessed.